

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Mitchel Eugene Lunsford, Jr.,	)	Civil Action No. 4:13-cv-02272-TER
	)	
Plaintiff,	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
Carolyn W. Colvin,	)	
Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	

The Defendant, Carolyn W. Colvin, Acting Commissioner of Social Security, by her attorneys, William N. Nettles, United States Attorney for the District of South Carolina, and Barbara M. Bowens, Assistant United States Attorney, has moved this Court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for further administrative proceedings.

On order of the Court, this case will be remanded to the Appeals Council. The Appeals Council will direct the ALJ to update the medical record; consider and discuss the Veteran's Administration ratings and decision pursuant to current agency policy (see AM-14009 and/or EM-14013); consider the claimant's alleged medication side effects when assessing his residual function capacity and during the credibility analysis; and, if necessary, obtain vocational expert testimony. Plaintiff's counsel, Todd J. Johnson, consents to the Commissioner's motion.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby

**REVERSES** the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** of the cause to the Commissioner for further administrative proceedings as set out above.<sup>1</sup> *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

**AND IT IS SO ORDERED.**

s/ Thomas E. Rogers, III  
THOMAS E. ROGERS, III  
United States Magistrate Judge

May 8, 2014.

Florence, South Carolina.

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The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.